

THE TROY HERALD.

VOL. 10.

TROY, LINCOLN COUNTY, MO., OCTOBER 13, 1875.

NO. 41.

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WEDNESDAY, OCT. 13, 1875

LOCAL AND COUNTY NEWS.

If you want a good Heating Stove, try the Hardware Store of B. S. Crews.

Best Boot at the price, \$4.00, in Lincoln county at Woolfolk & Gordon's.

Call on the agent of the New York Life, at the Laclede, and have him explain the Tontine plan.

If you want a perfectly fitting coat, pants and vest, go to John Sykora, fashionable tailor, first door north of Cake's harness store. Perfect satisfaction guaranteed.

Do you want to save wood and work this winter? Then buy a heating stove of B. S. Crews. He is selling them low down.

Eld. Granfield of Fulton will preach at the Christian church, in this place, this (Tuesday) and to-morrow (Wednesday) evenings. The public is cordially invited to attend.

B. S. Crews has a new advertisement in this paper. He keeps the largest stock of hardware outside of St. Louis, and sells it at figures that will tickle a granger all over.

The advertisement of Woolfolk & Gordon will be found on the eighth page. This firm is never behind in its endeavors to supply the wants of their customers. If you want good and cheap goods give them a call.

There will be a meeting at the Christian church on next Sunday (17th inst.) at three o'clock p. m., for the purpose of choosing two or more elders of said congregation. Let every member be present, so there will be no grumbling hereafter.

T. B. HUTCHINSON, Clerk.

COUNTY GRANGE.—The County Grange of Lincoln county will meet in Troy on the first Wednesday in November, at ten o'clock in the forenoon, promptly. Officers will be installed and a delegate elected to the State Grange. T. R. Allen has been invited. It is particularly desired that every member be present.

T. R. REED, Master.

Mr. James S. Wilson, who was in town last week, says that Nineveh township is entitled to the championship for increasing the census. That now belongs to Waverly. Not long since the home of Mr. John Fleener of Louisville was gladdened by the advent of twin daughters, and that of Mr. Swaggers, who lives a short distance off, by the arrival of two brand new sons, which offsets the other two and preserves the social equilibrium.

DEATH OF AN OLD LADY.—Mrs. Polly Holcomb died at the residence of A. Miller Brown, where she had been visiting, on Friday October 1st. She had been in the state about forty years, having removed with her husband from Kentucky. Her husband died about thirty years ago. For nearly fifty years she had been an earnest and consistent member of the Regular Baptist church. She leaves five sons and two daughters living. Her age was eighty-seven.

Mr. Wm. H. Allen, of near Auburn was in town last week and presented us with a gourd which beats all. The largest heretofore mentioned is one presented to the Montgomery Standard which measured forty-two inches in length and thirty-six in circumference. This Lincoln county gourd is forty and a half inches long and forty-nine and a half around. Mr. Allen brought along some corn which he plucked at random from his field, to feed with as he came along, which averages from twelve to fifteen inches to the ear. He also left us a box of honey of his own raising, the finest we ever saw.

Mr. Buck Tipton was in town one day last week. He started from home early in the morning and didn't reach here until nearly sundown. The reason of this, he says, was that at every house he passed he was invited to dine. He accepted six of these invitations and enjoyed six dinners that day. On the eastern side of the county the dinner hour is eight in the morning, and the further one comes in this direction the later the hour. This rule works only one way, but then he likes it so well that he says he is going to travel the same road at least every week.

The assessor of Pike county cautions the tax-payers of that county against the too prevalent practice of returning fraudulent assessment lists. He says that he has reliable witnesses reporting to him, and that he intends to strictly follow the letter of the law. What action our assessor is taking, or intends to take, in the matter we do not know. Year after year men prepare themselves to avoid paying their share of taxation. One man in this township is commonly believed to own at least thirty thousand dollars in personal property who only returns six hundred dollars. One man in the eastern part of the county thinks he evades the law when he sends his notes and bonds to Illinois at the time of assessment. We think it the duty of every citizen to see that such persons do not escape the penalty prescribed for such a course.

AN UNCONSCIOUS 'SWAP'.—Larkin Creech was in town one day last week. He put his horse in the livery stable, and when his business was finished he mounted and started home. On getting out of town he thought he would quicken his speed, when to his great surprise his horse struck into a pace, a gait he had never attempted before. After revolving the matter in his mind for some time, and after a minute examination he concluded that he had gotten somebody else's horse. He rode back to the stable but could find no other horse that answered the description. A short time previous to this Charles H. Abel got his horse (as he thought) out of the livery stable and went home. Going along he thought it very strange that the horse would persist in trotting and wouldn't pace, although he was a ready and easy pacer. Mentioning this fact to his family, a closer examination was had and the conclusion came to was that it was not his horse. He came to town the next day and exchanged with Mr. Creech.

THE MAPE CASE.

The trial of Lum Woods, colored, charged with an outrage upon the person of Mary Husmann a young German girl, was had on Monday evening. Creech and Dunn for the state and Norton for defence. The evidence of the girl, given through Capt. Webbe as interpreter, was clear and indisputable. It was strongly corroborated by her father, Pollard and Dr. Lindsay. The evidence for the defence elicited nothing. The case was given to the jury without argument. In a short time the jury returned with a verdict of guilty and the punishment assessed at twenty years in the penitentiary. This verdict has caused universal disappointment, and it is regarded as particularly unfortunate that an adequate punishment was not meted out to the criminal. In many of the states the law makers had a proper appreciation of the enormity of this crime, and enacted that its penalty should be death. If any crime on the calendar merits capital punishment this does. It was hoped that the jury would so lengthen the term as to prevent the possibility of his ever coming out of the penitentiary alive. As it is, if he behaves himself as well as the common run of criminals, he will be set at liberty in fifteen years, in the prime of manhood, and ready again for his hellish work.

Dr. Birkhead returned to Clarksville this (Tuesday) morning.

WATERS FOUND GUILTY.

The First Conviction of Murder Ever Had in Lincoln County.

Meredith Waters, who shot and killed Mary Ellen Callaway on the 5th of September, was put upon trial last Friday. The case attracted very considerable interest it being the first of the murder trials and the circumstances of the sad affair being well calculated to arouse the deepest feeling. The court house was crowded with an audience, which paid the strictest attention to every word of testimony. Among the number were several ladies.

The first witness, Miss Callaway, sister of the deceased, was put upon the stand at about five o'clock in the afternoon. The evidence for the prosecution was concluded at the evening session. Our readers will remember the account we gave of the tragedy which was taken from the prisoner's own statement. The testimony, clearly connected and conclusive, showed the utter impossibility of the truth of the prisoner's claim. The theory of the defence fell before the logic of circumstantial evidence. It was demonstrated that if Waters' statement was true in regard to the relative position of himself and deceased and the gun resting on his lap, the charge would have struck her feet, or passed under them; also that if he was playing with the hammer, as he alleges, he would have had to reach over one hammer to place his thumb upon that of the barrel discharged. It was further shown that he could not have been as near as, nor in the direction, he claimed. All the other circumstances pointed nearly as clearly to the prisoner's guilt.

The testimony for the defence was taken up on Saturday morning. The attorneys, Stewart, Magruder, Avery and Wells, made the very best of the case. Stewart and Avery addressed the jury. Creech spoke for the state. In the prosecution he was assisted by McKee & McFarland.

The case was given to the jury just before noon. After a short consultation it asked a recess for dinner. On reassembling a division was had and ten were for a verdict of guilty. One of the others had no doubt as to the guilt of the prisoner, but was not quite ready to say so. So the jury practically stood eleven to one before any discussion of the testimony. The points of doubt in the mind of the twelfth man were then discussed, and in about one hour he expressed himself satisfied. At half past two the jury entered the court room. The pale faces of its members told at once the result. For the first time in fifty-six years that Lincoln county has had an existence as such, there was a conviction for murder in the first degree.

The prisoner bore himself tolerably well, but seemingly with great effort. He turned pale and trembled, and when removed rested heavily against the guards. He was rather nervous during the trial and appeared to dislike the result. After being returned to the jail he inquired what would be done with him. On being told, he asked if he would be hung at once or given time to see his friends. When told that he would have time he said: "That's all right. I am innocent but I'll die brave." He is of low mental status and it is thought that he scarcely realizes his position.

The jury were; Henry F. Wells, foreman, W. A. K. Elsberry, John Ward, E. Hines, Barton Hubbard, H. C. Pennington, Thos. H. Harris, S. H. Uptegrove, Henry Wehrmann, I. B. Thomas, William Sitton and Jos. Cantriel, all good, intelligent and conscientious men.

The counsel for defence filed a motion for a new trial, setting forth among other things that a copy of the indictment and a panel of the jury had not been furnished forty-eight hours before trial. It was argued yesterday morning. The judge remarked that copies were not demanded, but that he would take the matter under advisement.

CIRCUIT COURT ITEMS.

The court resumed its session on Monday morning, somewhat behind the docket, and with most of the important criminal cases not disposed of. The grand jury found true bills against Waters, Reicke, Thomason and Hartman for murder. It concluded its labors and was discharged on Saturday. The regular panel of petit jury was also discharged on Saturday afternoon. It has been remarked, and justly too, we think, that there never was a more intelligent body of men impanelled in the two juries than at this term. The following are the principal items from the trial docket up to the time we go to press:

Jerry Liles, colored, larceny; plea of not guilty withdrawn and plead guilty; one day's imprisonment in county jail, in consideration of three months' imprisonment already suffered.

H. H. Luck, larceny; bill ignored, defendant discharged.

Meredith Waters, murder; verdict of guilty.

Lem Woods, colored, rape; verdict of guilty and sentenced to penitentiary for twenty years.

W. J. Wales, assault and battery; continued on application and affidavit of defendant.

Wm. H. Pearl, assault; plea of guilty; fine of one hundred dollars and costs.

P. Nagle vs. St. L. & K. R. R.; on account; verdict for plaintiff, \$334.77.

Nancy Bell et al vs. T. R. Reid, administrator; on account; taken up from probate court by defendant; judgment by consent for plaintiff, \$550.

F. S. Sweeney vs. Walker & Van Ness; on account; trial by court; verdict for plaintiff.

Geo. W. Parsons vs. Harriet M. Parsons; divorce; granted with custody of children.

S. H. & F. M. Riffe vs. L. B. Magruder; verdict of guilty of unlawful detainer and twenty-five dollars damages.

W. S. Rutt et al vs. F. C. Cake; on settlement; judgment by consent for one cent and costs.

Edward Baker vs. Newton Wales; damage; dismissed.

Same vs. Henry Daharsh; same.

Wm. Fuzbach vs. Mena Fuzbach; divorce; degree granted mutual.

Benjamin Kelly vs. Geo. H. Copher; taken by defendant from justice's court; verdict for plaintiff, damages thirty dollars.

F. P. Thompson vs. H. N. Brown; taken up by defendant from justice's court; trial by jury; verdict of guilty; damages of one hundred and fifty dollars and monthly rents of sixteen dollars and sixty-six cents, which being doubled by the court, will amount to about seven hundred dollars. The coal company ought to have selected some other man to jump claims for them. He might have had better luck with the juries of Lincoln county.

John McDonald vs. David Dunphy; ejectment; trial by court; no appearance of defendant; verdict and judgment for possession; damages three hundred dollars.

The case of Thomason and Hartman will come up to-day at noon. It was set for yesterday, but postponed in order that forty-eight hours might expire after a copy of indictment and a list of jurors were furnished counsel for defence. The case of Reicke was set for to-day, but will not be reached until to-morrow or next day.

DEATH OF A PROMINENT CITIZEN.

—Mr. James Alexander, of Hurricane township, died at his home on the 27th ult. He was a resident of this county since 1832, having come from Shelby county, Kentucky, where he was born. His age was about fifty-eight. He was a man of inflexible devotion to principle and one who followed a strict rule of conscientious duty. He was one whose influence was always on the side of right.

DEATH OF M. B. ALLEN.

Mr. Robert B. Allen, of Truxton, one of the most prominent citizens of this county, was found dead in his bed on the morning of Tuesday, the 5th inst. He had lately recovered from an attack of remittent fever, and had been feeling much better than usual. The day before he died he worked busily in the field, cutting up corn. He retired early, but was awakened in the middle of the night by a thunder clap and got up to put down a window. As he did so he spoke of how sweetly he had slept. As he returned to bed, in reply to a question from Mrs. Allen, he said he felt better than usual. He soon fell asleep. When Mrs. Allen awoke next morning she found him cold in death.

Mr. Allen was a native of Virginia. He moved to St. Charles county in 1823; he married in that county and lived there until 1841, when he came to this county and settled on the place where he died. He was for more than thirty years a zealous member of the Methodist church. In all his relations he maintained the respect and confidence of all who knew him. The community in which he lived will deeply feel his loss. His age was sixty-seven years. He leaves a wife and eight children.

Tontine.

Those anticipating Life Insurance would do well to call on the agent of the NEW YORK LIFE INSURANCE COMPANY and have him explain the Tontine plan of Life Insurance. W. L. FOWLE, Agent, at Laclede Hotel, Troy, Mo.

The tobacco factory of R. A. May, Foristell, was seized on Friday last by Assistant Revenue Collector Cummins, acting under the orders of Col. F. Meyer, internal revenue supervisor. The charge was doing business without license and selling unstamped tobacco. Some demonstrations were threatened, but were prevented by the counsels of the law-abiding citizens.

PROBATE COURT.—This court, Judge Bondie presiding, commenced its session on Monday. But little except routine work has been done as yet. Only one jury case has come up yet: Mrs. Lou Hoke vs. J. Creech, administrator of Geo. W. Hoke; motion to pay over statutory allowance; trial by jury, verdict for defendant.

New Milliner at Faysville. Madam L. Thomas has opened a new and elegant stock of millinery and respectfully invites the ladies to call and examine her goods. Dress-making executed to order.

BORN.

McKEE—Sept. 14, 1875, in Truxton, to the wife of J. G. McKee, a son.
MOORE—October 8, 1875, to the wife of Wm. Moore, a son.
SMILEY.—in Millwood, Tuesday, October 12, 1875, to the wife of Dr. Geo. F. Smiley, a son.

DIED.

PARK.—In Ohio, Sunday, October 3d, 1875, in the 31st year of her age, Mrs. Sarah Park, wife of James Park.

The subject of this notice was brought to a knowledge of the truth as it is in Jesus, in early life. She was some of the fruits of a meeting held at Mt. Vernon school house by Rev. John A. McAfee in the year 1865. From then till her death she lived a consistent life, showing in all her actions at home and abroad that she gloried in the religion of Christ. She was overtaken by that insidious disease, consumption, and yielded thus in early life to this fell destroyer; but not till she had become possessed of the blessed hope, which brightens the twilight of the christian's career. During her last sickness she was composed and resigned and expressed herself to the writer as having no fears whatever in regard to her own welfare; her only anxiety being in reference to some near friends who were still without the pale of salvation. She leaves one child, a husband, one brother and four sisters to mourn her loss. May the Lord comfort each in this dark hour of trial and lead them to follow their loved and departed sister as she followed Christ and live in the hope of a meeting in the blessed clime where there is no death, neither sorrow nor crying; and where God shall wipe away all tears from their eyes.